

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CAROL SAUER,
Plaintiff

v.

JUDITH CONNER,
Defendant

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Case No. 1:21-CV-01023-DII

ORDER

Now before the Court is Plaintiff Carol Sauer's Request for Expedited Rulings on (1) Defendant Judith Conner's Motion to Dismiss on Technical Errors [Dkt. 44], and (2) Sauer's Cross-Motion for Dismissal of Defendant Judith Conner With Prejudice [Dkt. 45], filed November 16, 2023 (Dkt. 46). By Text Order issued November 17, 2023, the District Court referred Sauer's Motion for Expedited Rulings this Magistrate Judge for disposition, pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas.

Plaintiff construes Defendant's Motion to Dismiss on Technical Errors as a request for dismissal *with prejudice* and asks the Court to rule on the motions on an expedited basis, before Defendant's response is due, "to avoid the associated time and expenses" of taking Defendant's deposition on November 28, 2023. Dkt. 46 at 1-2. Because Defendant's Motion does not expressly request that the case be dismissed with prejudice, the Court will wait until Defendant's response deadline has expired before ruling on Plaintiff's Motion to Dismiss. Accordingly, Plaintiff's Motion for Expedited Rulings (Dkt. 46) is **DENIED**.

SIGNED on November 20, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE